

Open Source Democracy 2.0

Numerous learned Prophets of Cyberspace have predicted that the World Wide Web will at some point transform our democracy the way it has transformed virtually every other transactional activity in modern society. They foresee the emergence of some type of Web-based mechanism or venue – the exact form of which is not yet discerned -- that will fundamentally alter our democracy as we know it today.

One thinker in this realm is [Doug Rushkoff](#), whose book [Open Source Democracy](#) (Demos, London, U.K., 2003) posits an analogy between computer software and the mechanics of democracy.

He describes a computer program as a set of rules that defines how a computer processes input (data entry), and invites us to compare this to a democracy, where a set of rules (election laws) defines how the system will process input (votes). He then extends the analogy further by asserting the advantages of *open source computing* (software written through the interaction and participation of lots of people works better than proprietary software created in a central planning environment), and suggests that our democracy should be able to benefit from a similar open source renaissance – courtesy of the “emergent” and “participatory” properties of the Internet. This transformed democracy will result in the “redesign of political institutions in a way that enables new solutions to social problems to emerge as the result of millions of interactions. In this way, online communication may indeed be able to change offline politics.” (Foreword to *Open Source Democracy* by UK Politician Douglas Alexander, MP)

What Rushkoff does not offer in *Open Source Democracy* is a description of these redesigned institutions. What will this new-and-improved democracy look like? How would it work? What would its impact be? How would it remedy the numerous flaws that are so obvious, so debilitating, and yet so entrenched in our existing closed-source institutions?

Picking up where Rushkoff leaves off, this essay details below an actual Web-based mechanism, called a “No” Vote Pledge Campaign, that has the potential to re-enfranchise a large majority of our citizens and empower them to wrest control of crucial issues from politicians and heavily funded special interests. To provide an interactive example, the author has created a prototype Web site, <http://www.ioparty.com/>, that hosts five issue-specific “No” Vote Pledge campaigns.

The remainder of this essay describes the “No” Vote Pledge (NVP) mechanism from two related perspectives: How It Works, and Why It Works.

How It Works

A “No” *Vote Pledge* (“NVP”) is a voter’s good-faith promise to NOT vote for any candidate who doesn’t support a clearly defined political option. For example, at the IOParty Web site, the first of five NVP propositions reads:

“I am a registered voter, and I pledge that I will not vote for any candidate for Federal office in 2010 who does not support health care reform legislation that includes a public health insurance option.” *

A “No” *Vote Pledge Campaign* is a Web-based initiative to solicit NVP’s from voters in support of the defined political option.

When a voter casts his NVP in support of a specific policy or issue objective, the voter is saying the issue is so important, it outweighs everything else a candidate might have to offer (*if you’re opposed to this NVP initiative, I won’t vote for you-- period.*) The all-or-nothing nature of the commitment implies that only the most crucial and fundamental issues will emerge as viable NVP Campaigns (cf. *Why It Works* below).

As the pledges add up, the Web site displays the totals by electoral jurisdiction for all to see -- especially campaigning politicians and their entourages of consultants and advisors, who will see how many votes they’ll lose if they don’t support the Campaign’s proposition.

When a “No” *Vote Pledge* campaign succeeds in attracting a visible majority of voters in a given jurisdiction, it says to the politicians of that jurisdiction: either join with the majority of your constituents on this issue, or prepare to leave office (don’t even bother running in your next election; voters have committed in advance to remove you).

The effect of a successful NVP Campaign would be to restore control of specific, crucial issues directly to the electorate, bypassing completely the filtering, dilution and manipulation of issues by political parties and politicians, whose agendas are typically driven by their major campaign contributors.

Why It Works

NVP vs. Petitions – Although in terms of objective and format the NVP mechanism might appear to be similar to a traditional petition, it is in fact radically different. A petition is a plea to a higher authority - to someone who presumably has the power to make happen what the petitioner can't otherwise achieve on his own. *A petitioner inherently approaches his objective from a position of weakness.*

By contrast, a "No" Vote Pledge (NVP) is not a plea to a higher authority; it's a *threat* to that authority. This is because NVP campaigns, unlike petitions, operate from a position of power -- the NVP'er already owns something that the "higher authority" wants: his vote.

NVP Campaigns are effective where petitions are not because NVP Campaigns aren't pleading for anything: they're *threatening*, with quantifiable force (the Campaign's public tally of pledged "No" Votes), to remove "the higher authorities" from their elected offices if they don't accede to the Campaign's objective.

Barriers to Launch – There are very few obstacles an individual, or a group of individuals, will encounter when starting a NVP Campaign. All that's needed is a clearly worded proposition that can be framed in the required double-negative form, and a Web site to promote the issue and collect pledges.

- Because a pledge to vote "No" is not an actual vote (it's a promise to vote a certain way in a future election) voters can express themselves *at any time* on an issue that is of supreme importance to them, without waiting for an election or for politicians to take up the cause.

- NVP Campaigns require no sanction from any authority, so there is no bureaucratic or legal barrier to launch or to participation.

- Web site visitors who want to participate but are not registered voters will be linked to the appropriate voter registration portal for their jurisdiction via postal code. This linkage has the dual effect of bolstering the NVP initiative and at the same time promoting enfranchisement in the established, proprietary democratic system, which is a pre-requisite to effecting any fundamental change in our traditional, closed-source democratic institutions.

- NVP Campaigns do not challenge the legitimacy of our established democratic mechanisms, nor seek to replace them, nor is any change required in existing institutions in order for NVP Campaigns to be effective. They can be launched at any time without regard to election cycles or other factors dictated by the existing proprietary democracy. Rushkoff, op. cit., p. 63:

“ . . . we are not about to enter a phase of revolution, but one of renaissance. We are heading not towards a toppling of the democratic, parliamentary or legislative processes, but towards their reinvention in a new, participatory context.”

Barriers to Success

While it may be relatively easy to launch a NVP Campaign, only a select few will achieve their goal (i.e. enactment or fulfillment of the campaign's proposition). This is because the NVP mechanism itself has certain inherent qualities that limit the number of viable NVP campaign issues:

- Pledging one's vote in a future election based on a single issue is an extreme action that will only be taken by voters for whom the issue is of comparably extreme importance. This has the effect of limiting viable NVP Campaigns to a small number of issues that people can feel very passionate about.

- Additionally, in order for a NVP Campaign to succeed, it needs to attract a visible majority of voters within a given jurisdiction, so the issue needs to be one that has the potential to attract very broad (usually bi-partisan) support.

Although the universe of NVP-viable issues must certainly be small, it does exist. Campaign finance reform is an example of an issue that might attract passionate, bi-partisan support if the right NVP proposition could be crafted. Who among Republicans, Democrats, and Independents really believes that our democracy is best served by a system that leads elected officials to spend most of their time and energy raising money for their next election, and makes them beholden to those who fund their campaigns? Who thinks that our hard earned tax dollars, to the tune of tens of billions of dollars every year, should be re-directed through pork barrel legislation into the pockets of incumbent politicians' largest campaign contributors? One may question (in a separate polemic) whether or not the NVP Proposition regarding campaign finance reform at the IOParty Web site (a constitutional amendment) is the best remedy for our broken campaign finance system; here it is presented as an example of an initiative that could potentially attract passionate support across traditional partisan lines.

Not all NVP Campaigns need be phrased as legislation or a constitutional amendment. For example:

“I am a registered voter, and I pledge to NOT vote for any candidate for Federal office in 2010 who voted in favor of the Congressional Resolution authorizing the Second Iraq War.”

Notwithstanding its populist tone (tag line: *No Child Sent to a Phony Front*), this initiative is cited as an example of an NVP Campaign whose potential success might be corroborated by recent opinion polling and actual election trends. It also provides an example of a NVP campaign that could – if successful – have a major impact on our traditional closed-source (elected) power structure.

Ultimately, once a viable issue has been identified, the NVP Campaign advocating that issue will still face the same challenges that other political initiatives face: building public recognition and awareness for the issue, lobbying for official endorsement and support, fundraising to support these efforts, etc. While these barriers are certainly present for all such efforts, NVP campaigns have the potential to benefit from their open-source nature – exploiting the emergent and participatory (i.e. viral) properties of the Internet to achieve critical mass far more quickly than traditional initiatives of this type. For example, in today’s interactive mediascape, an endorsement of the Health Care/Public Option NVP Campaign by an existing on-line community (www.moveon.org, www.democraticunderground.com) could lead to a very fast accumulation of critical mass. Fueled by publicity gained through established mass media (entertainers and public personalities are not in the least shy about using their platforms to advocate causes they feel passionate about), it’s plausible that a campaign could build the necessary critical mass in a matter of months.

Like a physicist who deduces from observable data the necessary existence of an as-yet unobserved particle, Rushkoff asserts (op. cit. p.61) that “An open source model for participatory, bottom-up and emergent policy will force us, or allow us, to confront the issues of our time more directly.” Six years later the NVP concept, as described herein, conforms seamlessly with this model, offering in function exactly what Rushkoff described in theory. It’s too soon to know if a NVP campaign can actually produce a change in policy (or law), however if it does it would appear to validate Rushkoff’s hypothesis *ver batim*.

Start-Up

Especially considering the nature of the commitment being sought, prospective participants may be reluctant to commit themselves to a NVP Campaign in its early stages if there are no other (or few other) voters who have already signed on. This phenomenon is common to every start-up enterprise; consider one’s natural reluctance to eat in a restaurant that has no other patrons. In an effort to address this issue and encourage early participation, NVP Campaigns can be structured to make voter pledges contingent upon the attainment of a pre-defined level of public support. For example (cf. also the IOParty Web site):

* “As an early supporter of this initiative, I understand that my pledge will not take effect [and I will not be bound by it] until the total number of pledges recorded at this Web site exceeds five (5) million.”

Validation

The effectiveness of NVP Campaigns will also depend on (among other things) a perception by voters and politicians that the pledges recorded at the Campaign Web sites are valid, and that the voters will honor their pledges.

As currently envisioned, NVP Campaigns would function on a partial honor system. Visitors to a NVP Web site who simply state that they are registered to vote will be able to pledge their vote under the terms of the proposition (standard CAPTCHA methods will be employed to prevent massive, fraudulent registrations). To assure the integrity of a Web site’s reported pledges, the NVP Campaign would organize a regimen of regular sampling verification, in which one of every X number of pledges would be manually validated by comparison with voter registration rolls. Using consistent and transparent sampling techniques, the integrity of the Web site’s data can be assured within a relatively small margin of error. Should the sampling reveal a higher rate of fraudulent participation than desired, the frequency of sampling can be increased until the desired standard is met.

With respect to the issue of whether voters will ultimately honor their pledges, this question can only be resolved by events; certainly there is no way to compel voters to fulfill their pledges, nor to monitor individual voter actions. However, when the first NVP Campaign that achieves critical mass begins to cost dissenting candidates their elections, that precedent alone should enhance the potency (and voter appeal) of future NVP campaigns.

Conclusion

If NVP Campaigns did ultimately succeed in empowering the electorate to assert direct control over specific issues, how might that impact our existing democratic institutions? What would the political landscape look like upon the emergence of this open-source democracy?

This author envisions a new type of issues-only (or issues-oriented) political party (IOP), one that would not ordinarily sponsor or draft candidates to run in traditional closed-source elections. An IOP's mission and *modus operandi* would be to sponsor winnable, issue-specific NVP Campaigns and to promote those Campaigns on the Party's Web site and through other means.

One might speculate that in an initial period of experimentation, the traditional political parties would launch their own NVP Web sites, touting propositions that adhere to their own party line. These NVP efforts are unlikely to succeed, however, if the issues they embrace cannot draw broad, passionate and *bi-partisan* support. For example, a pro-life (anti-abortion) proposition might attract millions of NVPs, but unlikely a sufficient number to influence an election.

Successful IOP's will therefore be those that can identify and promote winnable NVP campaigns. These IOP's will derive substantial political power from their ability to reliably influence the outcome of traditional (closed-source) elections. As limited as the number of viable NVP issues may be, conceivably there may only be room in the democratic marketplace for one such issues-only party. The novelty of the concept itself may result in a "branding" for the first IOP to launch a successful NVP effort, and subsequent NVP's may benefit from the critical mass already gained in the first successful campaign. The author's beta web site at <http://www.ioparty.com> is an effort to promote this scenario.

Just as the function of IOP's would be fundamentally different than that of traditional, candidate-oriented parties, so would their membership and governance. Following an open-source model, an IOP party member might be anyone who pledges his/her vote in support of at least one of the party's NVP propositions. These party members could then elect a group of peers to a Campaign Committee that would be responsible for identifying and drafting the party's NVP campaigns (the equivalent of a Platform Committee in a traditional political party), and another group of peers to manage the affairs of the party (Web site, fundraising, lobbying, etc.).

Such activities would of course take place in their own open-source realm, and the traditional political parties would continue, as they always have, to compete in the closed-source realm of elections and constitutional governance. The two systems would function side-by-side, each posing no direct threat or competition to the other, and individuals could easily participate in both. Change would occur through the indirect influence of the open-source system over traditional elections and, in cases like the proposed constitutional amendment, through the actual re-writing of the law. Rushkoff, op. cit. p. 58: "The implementation of an open source democracy will require us to dig deep into the very code of our legislative processes"

Only future events can prove or disprove the validity of the NVP concept. Will the average voter, the typical American whose attention span has dwindled to the length of a *USA Today* article, be able to embrace a totally new democratic medium, a form of derivative voting, and use it to effect fundamental changes in our nation's governance? Rushkoff (op. cit. p. 64-65; 59), for one, seems optimistic:

"The new transparency offered by the interactive mediaspace . . . makes information available to those who never had access to it before. Access to media technology empowers those same people to discuss how they might want to change the status quo. Finally, networking technologies allow for online collaboration in the implementation of new models In a sense, the people are becoming a new breed of wonk, capable of engaging with government and power structures in an entirely new fashion.

"This marks a profound shift in our relationship to law and governance. We move from simply following the law to understanding the law, to actually feeling capable of writing the law: adhering to the map, to understanding the map, to drawing our own. At the very least, we are aware that the choices made on our behalf have the ability to shape our future reality and that these choices are not ordained but implemented by people just like us."